

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**October 18, 2006 MINUTES**

On Wednesday October 18, 2006, a meeting of the Board of Madison County Commissioners came to order at 10:00 AM, with Commissioners Ted Coffman, Frank Nelson and David Schulz present.

Frank Nelson moved to approve the October 2, 2006, minutes as read. David Schulz seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Doris Fischer, Dennis Foreman, Chuck Hall, Bill Ray, Ralph Hamler, Rick Schlenker, John McKittrick, Jim Carpita, Joe Bardswich, Vicki Tilstra, and Bill Tash.

**Powder Ridge Phase IV Final Plat:** Doris Fischer, Planner, presented the Board with the final plat of Powder Ridge Phase IV PUD. Dennis Foreman, Gaston Engineering & Surveying, was present for this portion of the meeting. This phase of Powder Ridge will create 28 condominium units on 11.781 acres. Doris recommended that the plat be approved but not recorded until the current taxes are paid in full. Dennis Foreman stated that the 2006 tax notice would include the final RID payment and that the taxes would be paid by the first part of next week. Frank Nelson moved to approve the final plat of Powder Ridge Phase IV with the Subdivision Improvements Agreement and Letter of Credit, and to hold for recording until the 2006 taxes are paid. David Schulz seconded the motion. All voted aye and the motion carried.

**Engineering Agreement for RID 2000-02 Repairs:** David Schulz moved to approve an agreement with Northern Testing Laboratories Engineering & Geoscience, Inc, to provide a geotechnical investigation of Beehive Basin Road slope stability in Big Sky, Montana, RID 2000-02. Frank Nelson seconded the motion. All voted aye and the motion carried.

**Sun West Ranch Amended Plat Discussion:** Doris Fischer, Planner, Chuck Hall, Sun West Ranch, and Dennis Foreman, Gaston Engineering & Surveying, met with the Board to discuss a proposal to amend the plat of Sun West Ranch to relocate five lots and modify the subdivision road system. Current County subdivision regulations give the Board the option to require the proposed amendment to go through the entire subdivision process or use a simpler expedited review process. Upon recommendation of the Planner, David Schulz moved to use the expedited review process and to carefully address issues of wildfire risk and emergency access and make sure that Sun West Ranch lot owners are notified and consent to the proposal. Frank Nelson seconded the motion. All voted aye and the motion carried.

**Cell Tower Request:** Doris Fischer, Planner, and Bill Ray, Global Tower Partners, met with the Board to discuss setting a date for a public hearing regarding a proposed wireless communication tower within the Yellowstone Mountain Club. The project would be located in the Southeast Quarter of Section 18, Township 7 South, Range 3 East. This tower will enhance cell service throughout areas in the Big Sky Region. Ted Coffman suggested a hearing date of December 4, 2006 at 10:30.

**Grants:** David Schulz moved to approve Grant Award #06-A14-82314 from the State of Montana, Board of Crime Control, for the Juvenile Accountability Management Program of the 5<sup>th</sup> Judicial District Youth Court in the amount of \$24,499. Frank Nelson seconded the motion. All voted aye and the motion carried.

Commissioner Ted Coffman was absent for the remainder of the meeting to attend a candidate forum in Big Sky.

**Assistant Reclassification Request:** Ralph Hamler, Sanitarian, met with the Board to discuss a request to change the classification of his assistant from clerk to administrative assistant and that the pay scale be changed accordingly. Ralph submitted a letter recommending this change and gave the Board several circumstances supporting the recommendation. The Board acknowledged that this is a legitimate request but stated that it should be readdressed next Spring as a budget request.

**Building Project:** Rick Schlenker and John McKittrick, SMA Architects, met with the Board to discuss the building project. SMA is putting together information in response to questions regarding water and sewer needs of the proposed facility and an estimated cost of operating the facility. SMA will forward this information to the Board when complete. SMA will also put together a service agreement relating to architectural services for the remainder of the project, contingent on the bond issue passing and charges being agreeable.

**Elk Park Roads:** Jim Carpita, Heritage Commission, met with the Board to discuss roads in the Elk Park area of Virginia City. Joe Bardswich, Virginia City, was also present for this portion of the meeting. Discussion ensued regarding a petition that was submitted to the Board to open the Cornucopia Road from its intersection with the historical monument road (U.S. Grant Road) to the location of the Sheriff's repeater station in Section 27 and 34 of Township 6 South, Range 3 West. Property owners Bardswich and Nevins have agreed to maintain the road. Frank Nelson moved to accept the

petition and appoint David Schulz and Ray Rowberry as viewers. David Schulz seconded the motion. All voted aye and the motion carried.

Jim Carpita and the Board discussed the verbal agreement with the Heritage Commission for a parking area for the proposed Law and Justice Center and the plans for an Archeological Study on the site if the bond for the project is approved.

**Consultant Services Agreement:** Frank Nelson moved to sign the Consultant Services Agreement between Madison County and Kirk Engineering and Natural Resources, Inc. to provide project development and design for federal-aid project STPE 29 (42), Park Pathway-Sheridan, Control Number 6139, located at the Town of Sheridan city park/baseball complex for the amount of \$3,650. David Schulz seconded the motion. All voted aye and the motion carried.

**Golf Course Easement:** Frank Nelson moved to accept the Road and Access Easement Grant and Agreement for Madison Meadows Golf Course between William L. Carpenter and Sylvia W. Barnard and Madison County, granting an easement through, over, under, and across Lot 11 of Valley Garden Ridge, as more particularly shown on the official plat thereof on file and of record in the office of the Madison County Clerk and Recorder in Book 4, Page 196, with the Golf Association being responsible for installation and maintenance of the fence addressed in the agreement. David Schulz seconded the motion. All voted aye and the motion carried.

**Class of County Resolution:** Frank Nelson moved to adopt Resolution 53-2006, a resolution designating Madison County as a second class county for Fiscal Year 2006-2007. David Schulz seconded the motion. All voted aye and the motion carried.

**Mosquito Fund Budget Amendment:** Frank Nelson moved to adopt Resolution 54-2006, a resolution amending Fiscal Year 2006-2007 budget to include Mosquito Fund 2200. David Schulz seconded the motion. All voted aye and the motion carried.

**RID Budget Amendment (2006-01, 02 & 03):** Frank Nelson moved to adopt Resolution 55-2006, a resolution correcting Resolution 35-2006, 36-2006, and 37-2006 and amending Fiscal Year 2005-2006 budget to include changes in RSID 2006-01 Fund 4206, RSID 2006-02 Fund 4207, and RSID 2006-03 Fund 4208. David Schulz seconded the motion. All voted aye and the motion carried.

**RID Assessment Resolution (99-01 & 00-02):** Frank Nelson move to adopt Resolution 56-2006, a resolution relating to Rural Special Improvement Districts 99-01 (Jack Creek Road) and 00-02 (Crow King) and amending Resolutions 15-2001, 24-2001, and 19-2003. David Schulz seconded the motion. All voted aye and the motion carried.

**Public Discussion:** Bill Tash, Montana State Senator, stopped in at the meeting and discussed local and statewide issues with the Board.

With no further business the meeting adjourned at 4:00 PM.

Commissioners' Meeting – October 18, 2006

---

C. Ted Coffman, Chairman  
Board of Madison County Commissioners

Date Approved: October 23, 2006  
Minutes prepared by:

---

Laurie Buyan, Administrative Assistant

---

Peggy Kaatz, Clerk and Recorder, Madison County